

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN DAVIDSON,

Defendant.

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Case No. 8:06CR133

ORDER

This case is before the court on the defendant's Motion to Reopen Detention (#29). The motion is granted in part and denied in part.

After receipt of defendant's motion, the court ordered that Pretrial Services interview the defendant and review his detention status (#29). On July 28, 2006 the court received a Pretrial Services report informing the court the defendant had been interviewed and a recommendation that, based upon the defendant's prior record, he represented a danger to the community and a risk of nonappearance.

After reviewing the Pretrial Services report I find the defendant's substantial prior criminal history makes him both a flight risk and a danger, and that no single condition or combination of conditions will mitigate the court's concerns. This is particularly true given that defendant, while only 21 years of age, has prior convictions for escape, disorderly conduct, driving while under the influence, and aggravated assault.

IT IS ORDERED:

1. The defendant's Motion to Reopen Detention (#29) is granted in part and denied in part.
2. Defendant's request to be interviewed by Pretrial Services is granted.

3. Defendant's request for release or modification of the court's May 1, 2006 Order of Detention (#17) is denied without hearing.

Dated this 31st day of July 2006.

BY THE COURT:

S/ F. A. Gossett
United States Magistrate Judge